

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

K.D., a minor, by and through his
Guardian ad Litem, LAQUANTE
DAVIS,

Plaintiff,

v.

CALIBER CHANGEMAKERS
ACADEMY, et. al.,

Defendants.

No. 2:23-cv-00083-DJC-JDP

ORDER TERMINATING DEFENDANT
VALLEJO CITY UNIFIED SCHOOL
DISTRICT FROM SUIT

On May 23, 2023, Defendant Vallejo City Unified School District ("the District") filed a Motion to Dismiss all claims alleged against it in Plaintiff K.D.'s First Amended Complaint. (ECF Nos. 27, 27-1.) After the matter was submitted (ECF No. 33), on July 17, 2024, this Court issued an Order granting the District's Motion to Dismiss and granting Plaintiff leave to file an amended complaint within thirty days. (ECF No. 68.) Plaintiff did not file an amended complaint by that deadline. On November 6, 2024, the Court issued an Order to Show Cause as to why the Court should not enter judgment in favor of the District. (ECF No. 77.) More than fourteen days have passed,

1 and Plaintiff has not filed a response to the Court's Order to Show Cause, requested
2 an extension of time, or otherwise responded to the Court's orders. While the Court
3 has concluded that entry of judgment is not appropriate (see Fed. R. Civ. P. 54(b)), the
4 Court will terminate the District as a defendant in this suit.

5 Accordingly, IT IS HEREBY ORDERED that Defendant Vallejo City Unified School
6 District is terminated as a defendant in this suit.

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8 Dated: December 6, 2024

/s/ Daniel J. Calabretta

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10 THE HONORABLE DANIEL J. CALABRETTA
11 UNITED STATES DISTRICT JUDGE
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